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Village of Edina
4801 West 50th Street
Edina, Minnesota 55424

October 5, 1965

To: Residents affected by vacation of West 67th Street

Because the previous vacation of West 67th Street was published by the newspaper with a typographical error, the Village Council must now repeat the entire proceeding. This is not intended to alter, in any way, the substance of the nullified action. It is impossible, according to State law, to merely publish a corrected legal notice of vacation. There must be a repeat of the entire operation.

You are, nonetheless, invited to attend the Hearing and present any objections or comments.

FLORENCE B. HALLBERG
Village Clerk

Village of Edina
4801 West 50th Street
Edina, Minnesota 55424

October 5, 1965

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FLORENCE B. HALTBURG
Village Clerk

Village of Edina
4801 West 50th Street
Edina, Minnesota 55424

October 5, 1965

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You are, nonetheless, invited to attend the Hearing and present any objections or comments.

FLORENCE B. HALLBERG
Village Clerk

VILLAGE OF EDINA
4801 West 50th Street
Edina, Minnesota 55424

OCTOBER 4, 1965
August 6, 1965

NOTICE OF PUBLIC HEARING ON
PROPOSED STREET VACATION

The Edina Village Council will meet at the Edina Village Hall, 4801 West 40th Street, on Monday, August 16, 1965, at 7:00 P.M. to consider the proposed vacation of the following street, or portion thereof, described as follows:

"That portion of West 67th Street lying west 129.54 feet from the east property line of York Terrace Extended.@"

All objections and recommendations will be heard at said Hearing.

BY ORDER OF THE EDINA VILLAGE COUNCIL.

Florence B. Hallberg
Village Clerk

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VILLAGE OF EDINA
4801 West 50th Street
Edina, Minnesota 55424

OCTOBER 4, 1965

NOTICE OF PUBLIC HEARING ON
PROPOSED STREET VARIATION

The Edina Village Council will meet at the Edina Village Hall, 4801 West 40th Street, on Monday, August 16, 1965, at 7:00 P.M. to consider the proposed vacation of the following street or portion thereof, described as follows:

"That portion of West 67th Street lying west 129.54 feet from the east property line of York Terrace extended."

All objections and recommendations will be heard at said hearing.

BY ORDER OF THE EDINA VILLAGE COUNCIL,

Florence E. Hallberg
Village Clerk

Village of Edina
4801 ~~Edy~~ 50th Street
Edina, Minnesota 55424

October 5, 1965

To: Residents affected by vacation of West 67th Street

Because the previous vacation of West 67th Street was published by the newspaper with a typographical error, the Village Council must now repeat the entire proceeding. This is not intended to alter, in any way, the substance of the nullified action. It is impossible, according to State law, to merely publish a corrected legal notice of vacation. There must be a repeat of the entire operation.

You are, nonetheless, invited to attend the Hearing and present any objections or comments.

FLORENCE B. HALLBERG
Village Clerk

DORSEY, OWEN, MARQUART, WINDHORST & WEST
FIRST NATIONAL BANK BUILDING
MINNEAPOLIS

11/18/66

Filed copy *as is*
September 2, 1966

Mr. George C. Hite
Village of Edina
14801 West 50th Street
Edina, Minnesota 55424

Re: Vacation of West 67th Street

Dear George:

Today Mrs. Hallberg was served with an Order to Show Cause in a proceeding subsequent brought on the Petition of the Dayton Development Company. It appears that the resolution of the Council vacating West 67th Street vacated it from the east right-of-way line of York Avenue to the west boundary line of York Terrace Addition. Since these two lines correspond with each other, all that this served to do was to vacate a straight line. The proceedings subsequent seek to have it determined that it was the intent of the Village to vacate West 67th Street from the east right-of-way line of York Avenue to the east boundary of York Terrace Addition which would be on Xerxes Avenue. If this was the Village's intent to vacate West 67th Street between York and Xerxes Avenues, then there will be no need to reply to the Order to Show Cause and the records will be corrected to show that West 67th Street was so vacated. If, however, it was not the intention of the Village to vacate this portion of West 67th Street, then we should file a responsive pleading on the Order to Show Cause proceeding. Could you look this over and let me know what the situation is.

Very truly yours,

WAW

William A. Whitlock

WAW:ms

cc: Mrs. Florence Hallberg ✓

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IN PROCEEDINGS SUBSEQUENT TO INITIAL
REGISTRATION OF LAND

A - 14837

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)

DISTRICT COURT
FOURTH JUDICIAL DISTRICT

In the Matter of the Petition of
DAYTON DEVELOPMENT COMPANY,
a Minnesota Corporation,

For an Order directing the
Registrar to enter Memorial
Showing Addition of
Vacated Streets

To: Village of Edina

It is HEREBY ORDERED that the above named or its representa-
tive or attorney individually be and appear before this Court at
Room 10 of the Hennepin County Court House, City of Minneapolis,
State of Minnesota, on the 13th day of September, 1966 at 2:00 P. M.
and show cause, if any there be, why this Court should not enter
an order as follows:

- (1) That the Registrar of Titles, upon the filing
with him of a certified copy of this Order,
show by memorial upon Certificate of Title No.
405885 that the following portions of vacated
streets are added to the description therein:

All of that part of vacated West 68th
Street dedicated in the plat of "York
Terrace" lying between the extensions
across it of the East and West lines
of Tract P, Registered Land Survey No.
432.

All that part of vacated West 67th Street
dedicated in the plat of "York Terrace"
lying West of a line drawn from the South-
east corner of Tract Q, Registered Land
Survey No. 432 to the Northeast corner
of Tract P of said Registered Land Survey

and lying East of a line drawn from the Southwest corner of said Tract Q to the Northwest corner of said Tract P.

All of that part of vacated York Avenue South dedicated in the plat of "York Terrace" lying North of the South line of West 68th Street as dedicated in said plat and lying South of the extension across it of the North line of Tract Q, Registered Land Survey No. 432.

- (2) That he show by memorial upon Certificate of Title No. 302459 that the following portion of vacated street is added to the description therein:

All that part of vacated York Avenue South dedicated in the plat of "York Terrace" lying between the extensions across it of the South and Northerly lines of said Tract B.

- (3) That he show by memorial upon Certificate of Title No. 299219 that the following portion of vacated street is added to the description therein:

All that part of vacated West 68th Street dedicated in said plat of "York Terrace" lying between the extensions across it of the East and West lines of said Lot 8.

- (4) That upon the issuance of any future Certificates above set forth, that the added descriptions be carried forward into the body of the respective new Certificates and that he omit the memorials of Documents No. 798827 and 831896 and the memorial of this Order.

- (5) That the Registrar of Titles show by memorial upon Certificate of Title No. 368788 that no part of vacated York Avenue South as set forth in Resolution, Document No. 798827, should be added to said Certificate of Title and that in future Certificates of Title issued for the land therein described he omit said Resolution Document No. 798827.

- (6) That he show by memorial upon Certificate of Title No. 278690 that no part of vacated York Avenue South as set forth in Resolution, Document No. 798827, adjoins said part of Tract A described in said Certificate and that in future Certificates of Title issued for the premises therein described he omit said Resolution Document No. 798827.

IT IS HEREBY ORDERED that a copy of this order to show cause be personally served upon the above named Village of Edina at least five days before the date of hearing as provided herein, in the manner of service of a summons in a civil action.

Dated August 31, 1966

BY THE COURT

s/ Eugene M. Ivenko
Judge

Approved as to form

s/ Marshall Sigford
Deputy Examiner of Titles

Faegre & Benson and Grant S. Nelson
Attorneys for Petitioners
1260 Northwestern Bank Building
Minneapolis, Minnesota 55402

14837

STATE MINNESOTA

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COUNTY OF EPIN

In the Ma
Petition the
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For an Ord
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Memorial Sster
of Vacateddition

IN PROCEEDING
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1260 NORTHWESTERN B
MINNEAPOLIS 2

REPRESENTATION OF A PARTY
IN COURT

STATE OF NEW YORK
COUNTY OF ALBANY
FILED FOR RECORD IN 1965

The undersigned being duly qualified being the clerk of said court

do hereby certify that on the foregoing date

October 6

1965

in and filed for record in the County of Albany and State of New York

NOTICE OF PUBLIC HEARING OF STREET VACATION

It is hereby notified that the following street is proposed to be vacated

and the same is hereby set aside for the purpose of being vacated

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-10-2001 BY 1042

OCTOBER 4, 1965

OFFICE OF PUBLIC AFFAIRS
FEDERAL BUREAU OF INVESTIGATION

Re: JAMES EARL RAY, AKA; ALIEN; and the fact that on 10/3/65, 1965, he was in the city of Memphis, Tennessee, on October 3, 1965, at 7:00 a.m. as a result of a report received from the Memphis Police Department that a person had been seen in the city of Memphis, Tennessee, on October 3, 1965, at 7:00 a.m.

That on October 3, 1965, at 7:00 a.m., the Memphis Police Department received a report from a person who had been seen in the city of Memphis, Tennessee, on October 3, 1965, at 7:00 a.m.

It is requested that you advise this Bureau of any information received from you regarding this matter.

Very truly yours,
Director

Enclosure
10/10/65

Village of Edina
4801 West 50th Street
Edina, Minnesota 55424

October 5, 1965

To: Residents affected by vacation of West 67th Street

Because the previous vacation of West 67th Street was published by the newspaper with a typographical error, the Village Council must now repeat the entire proceeding. This is not intended to alter, in any way, the substance of the nullified action. It is impossible, according to State law, to merely publish a corrected legal notice of vacation. There must be a repeat of the entire operation.

You are, nonetheless, invited to attend the Hearing and present any objections or comments.

FLORENCE B. HALLBERG
Village Clerk

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.
VILLAGE OF EDINA)

CERTIFICATE OF MAILING
NOTICE

I, the undersigned, being the duly qualified acting Village Clerk of the Village of Edina, Minnesota, hereby certify that on the following date August 6, 19 65, acting on behalf of said Village, I deposited in the United States mail copies of the attached

NOTICE OF PUBLIC HEARING ON PROPOSED STREET VACATION

(Exhibit A), enclosed in sealed envelopes, with postage thereon duly prepaid, addressed to the persons at the addresses as shown on the mailing list (Exhibit B) attached to the original hereof, which list is on file in my office, said persons being those appearing on the records of the County Auditor as owners of the property listed opposite their respective names, as of a date 10 days prior to the date of the hearing; and that I also sent said notice to the following corporations at the indicated addresses whose property is exempt from taxation and is therefore not carried on the records of said County Auditor.

Name

Address

_____	_____
_____	_____
_____	_____
_____	_____

WITNESS my hand and the seal of said Village this 6th day of August, 19 65.

Glenn B. Hallberg
Edina Village Clerk

EXHIBIT A

VILLAGE OF EDINA
4801 West 50th Street
Edina, Minnesota 55424

August 6, 1965

NOTICE OF PUBLIC HEARING ON
PROPOSED STREET VACATION

The Edina Village Council will meet at the Edina Village Hall, 4801 West 40th Street, on Monday, August 16, 1965, at 7:00 P.M. to consider the proposed vacation of the following street, or portion thereof, described as follows:

"That portion of West 67th Street lying west 129.54 feet from the east property line of York Terrace extended."

All objections and recommendations will be heard at said Hearing.

BY ORDER OF THE EDINA VILLAGE COUNCIL.

Florence B. Hallberg
Village Clerk

Mailing List.

(6)

Notice of Public Hearing - Vacation of
W. 67th St from Xerxes to W. Line York Ter

York Terrace Addition

Block 1 Lot 5 - Roger Bengtson

6628 Xerxes Av

" 2 Lot 1 James A. Halvorsen

6700 " "

R L S. # 432 - Tract P

Tract

R L S # 432 Tract O

R L S # 629 Tract F

Dayton Development - 4005 W. 65th St.

N.S.P.

Mpls. Gas

N.W. Bell

STATE OF MINNESOTA

DISTRICT _____ COURT _____

COUNTY OF HENNEPIN

In the Matter of the
Petition of DAYTON DEVEL-
OPMENT COMPANY, a
Minnesota Corporation,

For an Order directing
the Registrar to enter
Memorial Showing Addition
of Vacated Streets

IN PROCEEDINGS SUBSEQUENT TO
INITIAL REGISTRATION OF
LAND

FAEGRE & BENSON
LAWYERS

1260 NORTHWESTERN BANK BUILDING
MINNEAPOLIS 2, MINN.

RESOLUTION VACATING A PORTION OF
WEST 67TH STREET

WHEREAS, two weeks' published, posted and mailed notice of a Hearing to be held on August 16, 1965, at 7:00 P.M., on the proposed vacation of the street hereinafter described has been given and made, and a hearing has been held thereon by the Village Council:

Void
NOW, THEREFORE, be it resolved by the Village Council of the Village of Edina, Hennepin County, Minnesota, that that part of West 67th Street lying 129.54 feet from the east property line of York Terrace extended, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota, be and is hereby vacated effective September 22, 1965, unless on or before said date this Resolution is amended, annulled or rescinded by the Village Council.

ATTEST:

(signed) FLORENCE B. HALLBERG
Village Clerk -

(signed) ARTHUR C. BREDESEN, JR.
Mayor

I, the undersigned, duly appointed and acting Village Clerk for the Village of Edina, County of Hennepin, Minnesota, do hereby certify that I have compared the attached and foregoing Resolution and that the same is a true and correct copy of a Resolution duly adopted by the Village of Edina Council at its Regular Meeting held Monday, August 16, 1965, and as recorded in the Minutes of said Regular Meeting, and that the said Resolution has not been amended, annulled or rescinded since that date by the Village Council.

WITNESS my hand and seal of said Village this 23rd day of September, 1965.

Village Clerk
Village of Edina

C
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P
Y

Village of Edina
4801 West 50th Street
Edina, Minnesota 55424

October 5, 1965

To: Residents affected by vacation of West 67th Street

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You are, nonetheless, invited to attend the Hearing and present any objections or comments.

FLORENCE B. HALLBERG
Village Clerk

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.
VILLAGE OF EDINA)

CERTIFICATE OF
POSTING NOTICE

I, the undersigned, duly appointed and acting Police Patrolman for the Village of Edina, County of Hennepin, State of Minnesota, do hereby certify that I have, this date, posted copies of the attached and foregoing

NOTICE OF VACATION OF A PORTION OF W. 67TH STREET

on three official Village Bulletin Boards, as follows: 1. Village Hall, 4801 W. 50th St. 2. W. 56th Street and Kerns Avenue. 3. W. 70th Street and Cahill Road.

DATED

10-6-65

SIGNED

Jay W. Brash
Police Patrolman

Signed and sworn to before me, a Notary Public in and for Hennepin County, Minnesota, this, the 6th day of October, 1965.

Lois L. Strupp

LOIS L. STRUPP

Notary Public, Hennepin County, Minn.
My Commission Expires Sept. 2, 1970.

VILLAGE OF EDINA
4801 West 50th Street
Edina, Minnesota 55424

OCTOBER 4, 1965

NOTICE OF PUBLIC HEARING ON
PROPOSED STREET VACATION

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All objections and recommendations will be heard at said Hearing.

BY ORDER OF THE EDINA VILLAGE COUNCIL.

Florence B. Mallberg
Village Clerk

AFFIDAVIT OF PUBLICATION

Edina-Morningside Courier

12 Suburban Square

Hopkins, Minnesota

State of Minnesota }
County of Hennepin } SS.

JOHN E. TILTON, being duly sworn, on oath says: that he now is and during all the time here-

in stated has been JOHN E. TILTON, the publisher and printer... of the newspaper as The Edina-Morningside Courier, and has full knowledge of the facts herein stated.

That for more than one year immediately prior to the publication therein of the printed

Notice of Public Hearing

hereto attached, said newspaper was printed and published in the English language from its known office of publication within the County of Hennepin, State of Minnesota, on Thursday of each week in column and sheet form equivalent in space to 450 running inches of single column two inches wide; has been issued from a known office established in said place of publication equipped with skilled workmen and the necessary material for preparing and printing the same: THE EDINA-MORNINGSIDE COURIER has had in its makeup not less than twenty-five percent of its news column devoted to local news of interest to said community it purports to serve, the press work of which has been done in its said known place of publication; has contained general news, comments and miscellany; has not duplicated any other publication; has not been entirely made up of patents, plate matter and advertisements; has been circulated at and near its said place of publication to the extent of 240 copies regularly delivered to paying subscribers; has been entered as second class mail matter in local post office of its said place of publication; that there has been on file in the office of the County Auditor of said county the affidavit of a person having first hand knowledge of the facts constituting its qualifications as a newspaper for publication of legal notices; and that its publishers have complied with all demands of said County Auditor for proofs of its said qualification. A copy of each issue has been filed with the State Historical Society, St. Paul.

Notice of Public Hearing

That the printed.....

hereto attached as a part hereof was cut from the columns of said newspaper; was published

therein in the English language once a week for.....2.....successive weeks; that it was

first so published on the7..... day of.....Oct....., 1965..... and

thereafter on.....Thur..... of each week to and including the14.....

day ofOct....., 1965.....; and that the following is a copy of the lower case

alphabet which is acknowledged to have been the size and kind of type used in the publica-

tion of said.....
Notice of Public Hearing

abcdefghijklmnopqrstuvwxyz

John E. Tilton
Publisher

Subscribed and sworn to before me this.....14..... day of.....Oct....., 1965.....

Alice J. Nelson
Alice J. Nelson, Notary Public, Hennepin County, Minn.

My Commission Expires December 26, 1966

(Official Publication)
VILLAGE OF EDINA
4801 West 50th Street
Edina, Minnesota 55424
OCTOBER 4, 1965
NOTICE OF PUBLIC HEARING
ON PROPOSED
STREET VACATION
The Edina Village Council will meet at the Edina Village Hall, 4801 West 40th Street, on Monday, August 16, 1965, at 7:00 p.m. to consider the proposed vacation of the following street, or portion thereof, described as follows:
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All objections and recommendations will be heard at said Hearing.
BY ORDER OF THE EDINA VILLAGE COUNCIL.
FLORENCE B. HALLBERG,
Village Clerk
(Oct. 7, 14, 1965)—C-2A-10C

AFFIDAVIT OF PUBLICATION

Edina-Morningside Courier

12 Suburban Square

Hopkins, Minnesota

State of Minnesota }
County of Hennepin } SS.

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in stated has been JOHN E. TILTON, the publisher and printer... of the newspaper as The Edina-Morningside Courier, and has full knowledge of the facts herein stated.

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Notice of Public Hearing

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Notice of Public Hearing

That the printed.....

hereto attached as a part hereof was cut from the columns of said newspaper; was published

therein in the English language once a week for.....²..... successive weeks; that it was first so published on the⁷..... day of.....^{Oct}....., 19.....⁶⁵ and thereafter on.....^{Thur}..... of each week to and including the¹⁴..... day of.....^{Oct}....., 19.....⁶⁵; and that the following is a copy of the lower case

alphabet which is acknowledged to have been the size and kind of type used in the publica-

Notice of Public Hearing

tion of said
abcdefghijklmnopqrstuvwxyz

John E. Tilton
Publisher

Subscribed and sworn to before me this¹⁴..... day of.....^{Oct}....., 19.....⁶⁵

Alice J. Nelson
Alice J. Nelson, Notary Public, Hennepin County, Minn.

My Commission Expires December 26, 1966

(Official Publication)
VILLAGE OF EDINA
4801 West 50th Street
Edina, Minnesota 55424
OCTOBER 4, 1965
NOTICE OF PUBLIC HEARING
ON PROPOSED
STREET VACATION
The Edina Village Council will meet at the Edina Village Hall, 4801 West 49th Street, on Monday, August 16, 1965, at 7:00 p.m. to consider the proposed vacation of the following street, or portion thereof, described as follows:
"That portion of West 67th Street lying west 129.54 feet from the east property line of York Terrace extended."
All objections and recommendations will be heard at said Hearing.
BY ORDER OF THE EDINA VILLAGE COUNCIL.
FLORENCE B. HALLBERG
Village Clerk
(Oct. 7, 14, 1965)—C-2A-10C

(OFFICIAL PUBLICATION)

VILLAGE OF EDINA
4801 West 50th Street
Edina, Minnesota 55424

August 6, 1965

NOTICE OF PUBLIC HEARING ON
PROPOSED STREET VACATION

The Edina Village Council will meet at the Edina Village Hall, 4801 West 40th Street, on Monday, August 16, 1965, at 7:00 P.M. to consider the proposed vacation of the following street, or portion thereof, described as follows:

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All objections and recommendations will be heard at said Hearing.

BY ORDER OF THE EDINA VILLAGE COUNCIL.

Florence B. Hallberg
Village Clerk

Please publish in the Edina-Morningside Courier August 5 and 12, 1965.
Please send us two Affidavits of Publication.
Please send us ten clippings.

(OFFICIAL PUBLICATION)

VILLAGE OF EDINA
4801 West 50th Street
Edina, Minnesota 55424

OCTOBER 4, 1965

NOTICE OF PUBLIC HEARING ON
PROPOSED STREET VACATION

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All objections and recommendations will be heard at said Hearing.

BY ORDER OF THE EDINA VILLAGE COUNCIL.

Florence E. Hallberg
Village Clerk

Please publish in the Edina-Morningside Courier on October 7 and 14, 1965.
Please send us two (2) Affidavits of Publication.
Please send us ten (10) clippings.

Note: This is a duplicate of publication for August 5 and 12, 1965, which was incorrectly published at that time. We would appreciate this publication being printed without additional cost.

FLORENCE B. HALLBERG
Village Clerk
(Aug. 5-12, 1965)—C-2A-10C

AFFIDAVIT OF PUBLICATION

Edina-Morningside Courier

12 Suburban Square

Hopkins, Minnesota

State of Minnesota }
County of Hennepin } SS.

JOHN E. TILTON, being duly sworn, on oath says: that he now is and during all the time here-

in stated has been JOHN E. TILTON, the publisher and printer... of the newspaper as The Edina-Morningside Courier, and has full knowledge of the facts herein stated.

That for more than one year immediately prior to the publication therein of the printed

..... Notice of hearing

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That the printed.....notice of hearing.....

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abcdefghijklmnopqrstuvwxyz

John E. Tilton
Publisher

Subscribed and sworn to before me this 12th..... day of Aug....., 19 65

Alice J. Nelson
Alice J. Nelson, Notary Public, Hennepin County, Minn.

My Commission Expires December 26, 1966

(Official Publication)
VILLAGE OF EDINA
4801 West 50th Street
Edina, Minnesota 55424
August 6, 1965

NOTICE OF PUBLIC HEARING ON PROPOSED STREET VACATION

The Edina Village Council will meet at the Edina Village Hall, 4801 West 50th Street, on Monday, August 16, 1965, at 7:00 p.m. to consider the proposed vacation of the following street, or portion thereof, described as follows:

"That portion of West 67th Street lying 129.54 feet from the east property line of York Terrace extended."

All objections and recommendations will be heard at said Hearing.

BY ORDER OF THE EDINA
VILLAGE COUNCIL.
FLORENCE B. HALLBERG
Village Clerk
(Aug. 5-12, 1965)-C-2A-10C

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.
VILLAGE OF EDINA)

CERTIFICATE OF
POSTING NOTICE

I, the undersigned, duly appointed and acting Police Patrolman for the Village of Edina, County of Hennepin, State of Minnesota, do hereby certify that I have, this date, posted copies of the attached and foregoing

NOTICE OF PUBLIC HEARING ON PROPOSED STREET VACATION
on three official Village Bulletin Boards, as follows: 1. Village Hall, 4801 W. 50th St. 2. W. 56th Street and Kerns Avenue. 3. W. 70th Street and Cabill Road.

DATED Aug 5, 1965

SIGNED

Robert E. Johnson
Police Patrolman

Signed and sworn to before me, a Notary Public in and for Hennepin County, Minnesota, this, the 5th day of August, 1965.

Lois L. Strupp

LOIS L. STRUPP

Notary Public, Hennepin County, Minn.
My Commission Expires Sept. 2, 1970.

VILLAGE OF EDINA
4801 West 50th Street
Edina, Minnesota 55424

August 6, 1965

**NOTICE OF PUBLIC HEARING ON
PROPOSED STREET VACATION**

The Edina Village Council will meet at the Edina Village Hall, 4801 West 40th Street, on Monday, August 16, 1965, at 7:00 P.M. to consider the proposed vacation of the following street, or portion thereof, described as follows:

"That portion of West 67th Street lying west 129.54 feet from the east property line of York Terrace extended."

All objections and recommendations will be heard at said Hearing.

BY ORDER OF THE EDINA VILLAGE COUNCIL.

Florence B. Hallberg
Village Clerk

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August 17, 1965

Mr. Warner P. Blake
Minneapolis Gas Company
739 Marquette Ave.
Minneapolis, Minnesota

Dear Mr. Blake:

Enclosed you will find a copy of the Resolution passed at the Edina Village Council meeting last night relative to the vacation of a portion of West 67th Street.

This Resolution was passed pending your ability to obtain any necessary easements. Unless we hear from you by September 17, we will assume that you have no objection and the vacation will become effective on September 22, 1965.

Yours very truly,

Village Clerk

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Encl 1

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August 17, 1965

Mr. Roy H. Anderson
Northern States Power Co.
1518 Chestnut Ave. N.
Minneapolis, Minnesota

Dear Mr. Anderson:

Enclosed you will find a copy of the Resolution passed at the Edina Village Council meeting last night relative to the vacation of a portion of West 67th Street.

This Resolution was passed pending your ability to obtain the easements which you mentioned in your letter of August 9. Unless we hear from you by September 17, we will assume that you have obtained the necessary easement and the vacation will become effective on September 22, 1965.

Yours very truly,

Village Clerk

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Encl.

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August 17, 1965

Mr. W. A. Parlow
N. W. Bell Telephone Company
8125 Lewis Road
Minneapolis, Minnesota

Dear Mr. Parlow:

Enclosed you will find a copy of the Resolution passed at the Edina Village Council meeting last night relative to the vacation of a portion of West 67th Street.

This Resolution was passed pending your ability to obtain any necessary easements. Unless we hear from you by September 17, we will assume that you have no objection and the vacation will become effective on September 22, 1965.

Yours very truly,

Village Clerk

fbh
Encl. 1



N O R T H E R N S T A T E S P O W E R C O M P A N Y

MINNEAPOLIS, MINNESOTA 55402

August 9, 1965

Florence B. Hallberg, Village Clerk
Village of Edina
4801 West 50th Street
Minneapolis, Minn. 55424

Dear Mrs. Hallberg:


This is to acknowledge receipt of notice of the proposed vacation of that portion of West 67th Street lying West 129.54 feet from the East property line of York Terrace, extended.

As you will note from the attached sketch, we are at present occupying the north side of this street proposed to be vacated with our overhead electric distribution facilities. Please be advised that we have no objection to this vacation provided we are granted a permanent easement by the petitioners for the retention of our facilities, or are reimbursed for rerouting them.

Thank you for your kind consideration in this matter.

Yours truly,

T.S. Jepson
Electric Distribution Superintendent
Minneapolis Division

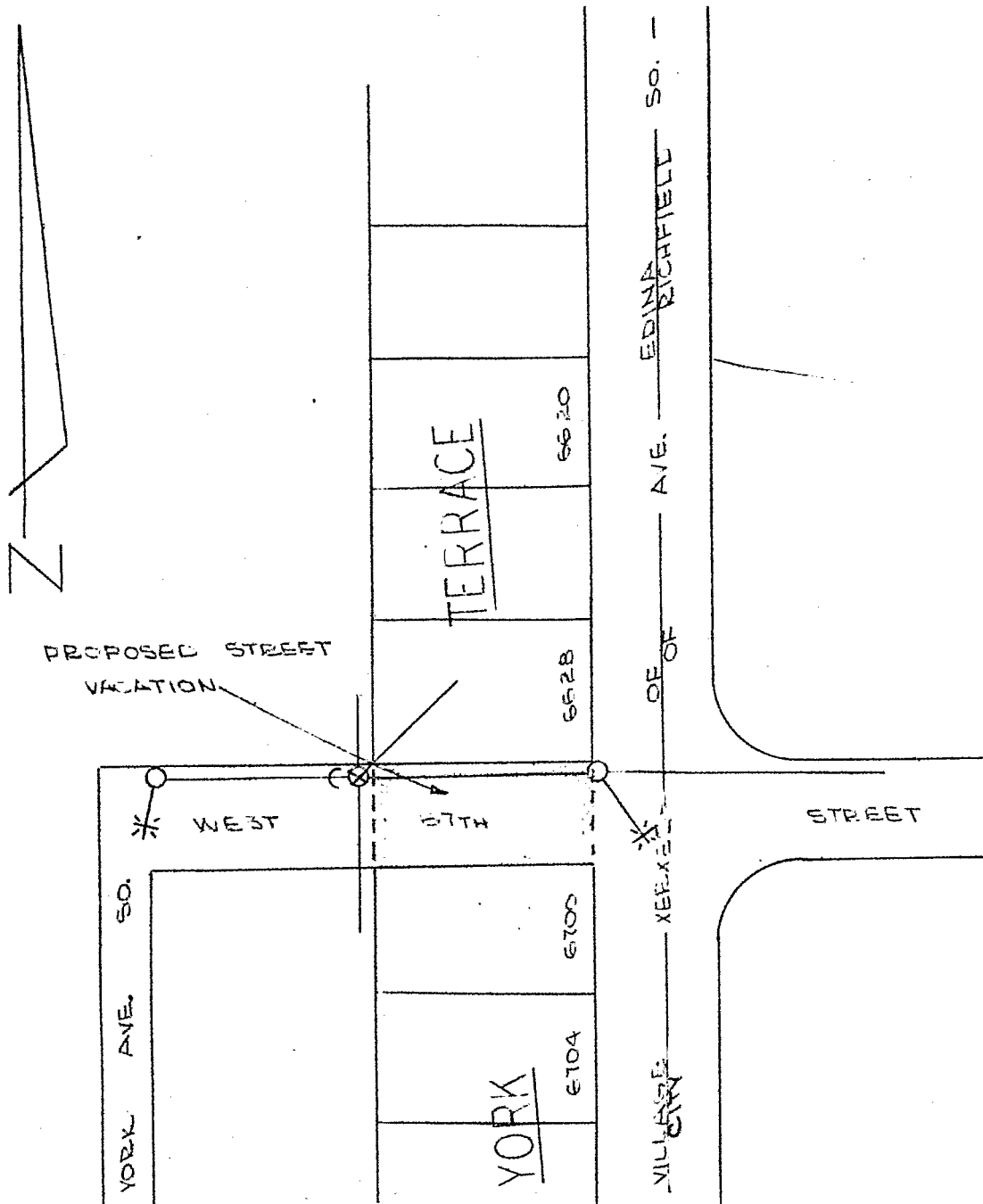
By 
Roy H. Anderson
Senior Right of Way Agent

TSJ
JCP
RHA:kep

cc: Dayton Development Company
4005 West 65th Street
Edina, Minn. 55410

James Halvorsen
6700 Xerxes Ave. So.
Edina, Minn. 55410

Roger Burgstahler
6628 Xerxes Ave. So.
Edina, Minn. 55410



LEGEND						NORTHERN STATES POWER CO.	
	POLES NWP TEL	WIRE	ANCHOR	OVERHEAD GUY	STREET LIGHT	ELECTRIC DISTRIBUTION DEPARTMENT MINNEAPOLIS DIVISION	
NEW	○ ⊗	—	→	↔	✱	TITLE <u>PROPOSED STREET VACATION</u>	
EXISTING	○ ⊗	—	→	↔	✱	VILLAGE OF EDINA	
TO BE REMOVED	○ ⊗	✱✱	✱→	✱↔	✱✱	SCALE <u>1"=100'</u>	DR. BY <u>FEK</u>
						DATE <u>8-3-65</u>	CHK. BY <u>RLH</u>
						APPROVED BY <u>[Signature]</u>	SUPT.
						DRAWING NO.	A-0122

11" 1.54 Feet From Top of Log

6-18-60 10:00 AM 10:00 AM

PETITION TO VACATE STREET

TO THE VILLAGE COUNCIL OF
VILLAGE OF EDINA

DATED 7-15-65

The undersigned represent that they are the majority of owners of real property abutting on the line of West 67th Street street from Xerxes Avenue South to West line of York Terr. and petition that said portion of said street be vacated. The facts and reasons for this application are as follows:

In consideration of vacating the street as herein petitioned the undersigned hereby jointly and severally waive any and all claims for any damages resulting from the vacating and discontinuing of said street.

SIGNATURE OF OWNERS

ADDRESS

DESCRIPTION OF PROPERTY

<u>Roger Bungsalle</u>	<u>6628 XERXES Av. So.</u>	<u>LOT 5, BLOCK 1, YORK TERRACE</u>
<u>James A. Zehner</u>	<u>6700 XERXES Ave. So.</u>	<u>Lot 1, Block 2, York Terrace</u>

This petition was circulated by

John K. Kloss

W 67th St from Xerxes Ave to the W. Property line of
York Terrace

AFFIDAVIT OF PUBLICATION

Edina-Morningside Courier

12 Suburban Square

Hopkins, Minnesota

State of Minnesota }
County of Hennepin } SS.

JOHN E. TILTON, being duly sworn, on oath says: that he now is and during all the time here-

in stated has been JOHN E. TILTON, the publisher and printer... of the newspaper as The Edina-Morningside Courier, and has full knowledge of the facts herein stated.

That for more than one year immediately prior to the publication therein of the printed

.....Notice of hearing.....

hereto attached, said newspaper was printed and published in the English language from its known office of publication within the County of Hennepin, State of Minnesota, on Thursday of each week in column and sheet form equivalent in space to 450 running inches of single column two inches wide; has been issued from a known office established in said place of publication equipped with skilled workmen and the necessary material for preparing and printing the same: THE EDINA-MORNINGSIDE COURIER has had in its makeup not less than twenty-five percent of its news column devoted to local news of interest to said community it purports to serve, the press work of which has been done in its said known place of publication; has contained general news, comments and miscellany; has not duplicated any other publication; has not been entirely made up of patents, plate matter and advertisements; has been circulated at and near its said place of publication to the extent of 240 copies regularly delivered to paying subscribers; has been entered as second class mail matter in local post office of its said place of publication; that there has been on file in the office of the County Auditor of said county the affidavit of a person having first hand knowledge of the facts constituting its qualifications as a newspaper for publication of legal notices; and that its publishers have complied with all demands of said County Auditor for proofs of its said qualification. A copy of each issue has been filed with the State Historical Society, St. Paul.

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abcdefghijklmnopqrstuvwxyz

John E. Tilton
Publisher

Subscribed and sworn to before me this 12th day of Aug., 1965

Alice J. Nelson
Alice J. Nelson, Notary Public, Hennepin County, Minn.

My Commission Expires December 26, 1966

(Official Publication)
VILLAGE OF EDINA
4801 West 50th Street
Edina, Minnesota 55424
August 6, 1965
NOTICE OF PUBLIC HEARING
ON PROPOSED
STREET VACATION
The Edina Village Council will meet at the Edina Village Hall, 4801 West 50th Street on Monday, August 16, 1965, at 7:00 p.m. to consider the proposed vacation of the following street, or portion thereof, described as follows:
That portion of West 67th Street lying 129.54 feet from the east property line of York Terrace extended.
All objections and recommendations will be heard at said Hearing.
BY ORDER OF THE EDINA VILLAGE COUNCIL.
FLORENCE B. HALLBERG
Village Clerk
(Aug. 5-12, 1965)-C-2A-10C

DORSEY, OWEN, MARQUART, WINDHORST & WEST

JAMES E. DORSEY (1889-1959)

DAVID E. BRONSON
KENNETH M. OWEN
DONALD WEST
WALDO F. MARQUART
JOHN W. WINDHORST
HENRY HALLADAY
JULE M. HANNAFORD
ARTHUR B. WHITNEY
JOHN G. DORSEY
RUSSELL W. LINDQUIST
DAVID R. BRINK
HORACE E. HITCH
VIRGIL H. HILL
ROBERT V. TARBOX
DEFOREST SPENCER
ROBERT J. JOHNSON
MAYNARD B. HASSELOQUIST
PETER DORSEY
GEORGE R. FLANNERY
CURTIS L. ROY
ARTHUR E. WEISBERG
DUANE E. JOSEPH
FREDERICK E. LANGE
JOHN W. JONES
JAMES B. VESSEY
WILLIAM A. WHITLOCK
CHARLES O. HOWARD

EDWARD J. SCHWARTZBAUER
THOMAS M. BROWN
CORNELIUS D. MAHONEY
THOMAS S. ERICKSON
MICHAEL E. BRESS
PAUL G. ZERRY
RAYMOND A. REISTER
JOHN J. TAYLOR
BERNARD G. HEINZEN
WILLIAM J. HEMPEL
JOHN S. HIBBS
ROBERT O. FLOTTEN
MORTON L. SHAPIRO
JAMES F. MEEKER
JOHN D. LEVINE
ROBERT J. STRUYK
MICHAEL A. OLSON
LARRY W. JOHNSON
ROBERT A. JENSEN
THOMAS S. HAY
CURTIS D. FORSLUND
G. LARRY GRIFFITH
CRAIG A. BECK
DAVID L. MCCUSKEY
THOMAS O. MOE
JAMES H. OHAGAN
JOHN M. MASON

LAW OFFICES

2400 FIRST NATIONAL BANK BUILDING

MINNEAPOLIS, MINN. 55402

TELEPHONE
332-3351
AREA CODE 612

OF COUNSEL
LEAVITT R. BARKER
LELAND W. SCOTT
HUGH H. BARBER

CABLE ADDRESS:
DOROW

August 9, 1965

Mrs. Florence B. Hallberg
Village Clerk
Village of Edina
4801 West 50th Street
Edina, Minnesota 55424

Dear Mrs. Hallberg:

I am enclosing herewith a copy of a letter of February 4, 1965, by Mr. Schwartzbauer relative to problems incurred with respect to the vacation of York Avenue. There is another letter written by Mr. Erickson covering the same subject which I am attempting to locate and when I do I will send you a copy.

Very truly yours,

William A. Whitlock
mk

William A. Whitlock

WAW:mk

Enc.

DORSEY, OWEN, MARQUART, WINDHORST & WEST
FIRST NATIONAL BANK BUILDING
MINNEAPOLIS

February 4, 1965

Mr. Roger D. Burgstahler
6628 Xerxes Avenue South
Edina, Minnesota 55410

Dear Mr. Burgstahler:

The Edina Village Council has asked me to reply to your letter of January 15, 1965, concerning the vacation of certain streets in the vicinity of your property.

The statutory requirement with respect to the vacation of streets is set forth in Minnesota Statutes, § 412.851 and provides as follows:

"The council may by resolution vacate any street, alley, public grounds, or any part thereof on petition of a majority of the owners of land abutting on the street, alley, public grounds or part thereof to be vacated."

The Minnesota Supreme Court has held that the mentioned petition is an absolute prerequisite to the legality of a street vacation. As Mr. Langmack explained to you in his letter of January 11, 1965, prior to the January 4th meeting, the Council had received a valid petition which applied only to that part of West 67th Street between the rear of your property and York Avenue South and also to York Avenue South south of 66th Street. It follows that with respect to those streets the Council's resolution of vacation was perfectly proper. No new petition, hearing or motion is necessary.

The problem is different with respect to that part of West 67th Street adjacent to your property. No petition was ever presented for the vacation of that part of West 67th Street. The Planning Commission and the Council were apparently unaware that a petition is necessary and believed that it would be in the best interest of the property owners like yourself if West 67th were vacated all the way to Xerxes. Mr. Halvorson was present at the meeting of January 4th and said he did not object to such procedure. However, in view of the statute and Supreme Court holding mentioned in the previous paragraph

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February 4, 1965

of this letter, the Council's attempt to vacate that part of West 67th lying alongside of your property was simply a legal nullity. It was completely ineffective. That is why Mr. Langmack advised in his letter of January 11, 1965, that the part of West 67th Street which abuts your property line is still a public street and that if you desire to have it vacated it is necessary to fill out the petition form which he enclosed and return it to the office of the Village Clerk. It is necessary that Mr. Halvorson do the same.

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To avoid further unnecessary confusion, I would like to anticipate the claim that this precise problem was raised at the January 4th meeting. The fact is it was not. Mr. Thomas Winter of 6708 Xerxes Avenue South appeared in apparent opposition to the vacation of York Avenue. He asked whether a street vacation was legal if the Village had not obtained the consent of all abutting property owners. I attended the meeting in question and informed the Council and Mr. Winter that there is no legal requirement that consent from all abutting property owners be obtained. The statute, of course, requires that a petition of the majority of abutting property owners be obtained, and once such a petition has been filed there is no need to obtain the consent of the minority. Neither Mr. Winter's question nor my answer were directed to the problem which might be presented if there were no proper petition in the first place. The Village administrative staff had apparently overlooked or were unaware of the requirement of a petition, and this office did not, and does not routinely, review all proposed actions in advance of the hearing. As previously indicated, our review now shows that the part of West 67th Street abutting your property line has not yet been legally vacated, while the remainder of West 67th Street west of your property has legally been vacated.

I hope this letter gives you the clarification which you requested. If you and Mr. Halvorson desire vacation of the remaining part of West 67th Street in question, you should complete the petition furnished by Mr. Langmack. If I can give you any further information, please call me.

Yours very truly,

Edward J. Schwartzbauer

EJS:ch

cc: Mr. Warren C. Hyde
Mr. George Hite
Mr. Arthur C. Bredesen, Jr.
Mr. Hugh J. MacMillan

Mr. Frank J. Tupa
Mr. James Van Valkenburg
Mr. Lawrence Rixe

DORSEY, OWEN, MARQUART, WINDHORST & WEST
FIRST NATIONAL BANK BUILDING
MINNEAPOLIS

February 4, 1965

Mr. Roger D. Burgstahler
6628 Xerxes Avenue South
Edina, Minnesota 55410

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February 4, 1965

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I hope this letter gives you the clarification which you requested. If you and Mr. Halvorsen desire vacation of the remaining part of West 67th Street in question, you should complete the petition furnished by Mr. Langmack. If I can give you any further information, please call me.

Yours very truly,

Edward J. Schwartzbauer

EJS:ch

cc: Mr. Warren C. Hyde
Mr. George Hite
Mr. Arthur C. Bredesen, Jr.
Mr. Hugh J. MacMillan

Mr. Frank J. Tupa
Mr. James Van Valkenburg
Mr. Lawrence Rixe

VILLAGE OF EDINA
4801 West 50th Street
Edina, Minnesota 55424

August 6, 1965

NOTICE OF PUBLIC HEARING ON
PROPOSED STREET VACATION

The Edina Village Council will meet at the Edina Village Hall, 4801 West 40th Street, on Monday, August 16, 1965, at 7:00 P.M. to consider the proposed vacation of the following street, or portion thereof, described as follows:

"That portion of West 67th Street lying west 129.54 feet from the east property line of York Terrace extended."

All objections and recommendations will be heard at said Hearing.

BY ORDER OF THE EDINA VILLAGE COUNCIL.

Florence B. Haliberg
Village Clerk



N O R T H E R N S T A T E S P O W E R C O M P A N Y

MINNEAPOLIS, MINNESOTA 55402

August 30, 1965

Florence B. Hallberg, Village Clerk
Village of Edina
4801 West 50th Street
Minneapolis, Minn. 55424

Dear Mrs. Hallberg:

This is to acknowledge your letter of August 17, 1965, relative to the proposed vacation of a portion of West 67th Street, lying west of Xerxes Avenue South.

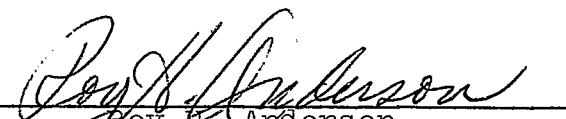
Please be advised that satisfactory arrangements have been made with the petitioner. Mr. Roger Burgstahler has granted us an easement covering our present facilities here. Therefore, we have no further objection to said vacation.

Thank you for your kind consideration in this matter.

Yours truly,

T. S. Jepson
Electric Distribution Superintendent
Minneapolis Division

By


Roy H. Anderson
Senior Right of Way Agent

TSJ
JCP
RHA/kep

JAMES E. DORSEY (1889-1959)

DAVID E. BRONSON
KENNETH M. OWEN
DONALD WEST
WALDO F. MARQUART
JOHN W. WINDHORST
HENRY HALLADAY
JULE M. HANNAFORD
ARTHUR B. WHITNEY
JOHN G. DORSEY
RUSSELL W. LINDQUIST
DAVID R. BRINK
HORACE E. HITCH
VIRGIL H. HILL
ROBERT V. TARBOX
DEFOREST SPENCER
ROBERT J. JOHNSON
MAYNARD B. HASSELOQUIST
PETER DORSEY
GEORGE R. FLANNERY
CURTIS L. ROY
ARTHUR E. WEISBERG
DUANE E. JOSEPH
FREDERICK E. LANGE
JOHN W. JONES
JAMES B. VESSEY
WILLIAM A. WHITLOCK
CHARLES O. HOWARD

EDWARD J. SCHWARTZBAUER
THOMAS M. BROWN
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THOMAS S. ERICKSON
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THOMAS S. HAY
CURTIS D. FORSLUND
G. LARRY GRIFFITH
CRAIG A. BECK
DAVID L. MCCUSKEY
THOMAS G. MOE
JAMES H. OHAGAN
JOHN H. MASON

DORSEY, OWEN, MARQUART, WINDHORST & WEST

LAW OFFICES

2400 FIRST NATIONAL BANK BUILDING

MINNEAPOLIS, MINN. 55402

TELEPHONE
332-3351
AREA CODE 612

OF COUNSEL
LEAVITT R. BARKER
LELAND W. SCOTT
HUGH H. BARBER

CABLE ADDRESS:
DOROW

February 2, 1966

Mrs. Florence B. Hallberg
Village Clerk
Village of Edina
4801 West 50th Street
Edina, Minnesota

Dear Mrs. Hallberg:

I enclose herewith the following resolutions to be kept
in your records:

1. Resolution vacating a portion of West 67th Street.
This resolution has been filed in the office of the Registrar of Titles
as Document No. 831896 and recorded in the office of the Register of
Deeds as Document No. 3580368.

2. Resolution vacating a portion of Summit Avenue. This
resolution has been filed in the office of the Registrar of Titles
as Document No. 831895 and recorded in the office of the Register
of Deeds as Document No. 3580367.

3. Resolution vacating a portion of Circle West. This
resolution has been filed in the office of the Registrar of Titles
as Document No. 808389.

Very truly yours,


Thomas S. Erickson

TSE:ca
Enclosures